

COURT UNITED STATES DISTRICT COURT  
COUNTY OF SOUTHERN DISTRICT OF NEW YORK

DEUTSCHE BANK TRUST COMPANY AMERICAS, IN ITS CAPACITY AS SUCCESSOR INDENTURE TRUSTEE FOR CERTAIN SERIES OF SENIOR NOTES, LAW DEBENTURE TRUST COMPANY OF NEW YORK, IN ITS CAPACITY AS SUCCESSOR INDENTURE TRUSTEE FOR CERTAIN SERIES OF SENIOR NOTES, AND WILMINGTON TRUST COMPANY, IN ITS CAPACITY AS SUCCESSOR INDENTURE TRUSTEE FOR THE PHONES NOTES *Plaintiff(s)* *against*

ADALY OPPORTUNITY FUND TD SECURITIES INC. C/O ADALY INVESTMENT MANAGEMENT CO., ET AL., *Defendant(s)*

Index No. 1:11-CV-04784-UA

**AFFIDAVIT OF  
SERVICE OF SUMMONS  
(AND COMPLAINT)**  
IN A CIVIL ACTION  
AMENDED, EXHIBIT A

STATE OF NEW YORK, COUNTY OF NEW YORK SS: The undersigned, being duly sworn, deposes and says; deponent is not a party herein, is over 18 years of age and resides at POMONA, NEW YORK  
That on 10/5/11 at 1:55 P M., at 477 MADISON AVENUE, NEW YORK, NEW YORK  
deponent served the within summons, *and complaint on* IN A CIVIL ACTION defendant therein named,  
AMENDED, EXHIBIT A GRYPHON HIDDEN VALUES VIII LTD

INDIVIDUAL  by delivering a true copy of *each* to said defendant personally; deponent knew the person so served to be the person described as said defendant therein.

CORPORATION  a DOMESTIC corporation, by delivering thereat a true copy of *each* to MEAGAN O'CONNOR personally, deponent knew said corporation so served to be the corporation described in said summons as said defendant and knew said individual to be MANAGING AGENT thereof.

SUITABLE AGE PERSON  by delivering thereat a true copy of *each* to a person of suitable age and discretion. Said premises is defendant's—actual place of business—dwelling place—usual place of abode—within the state.

AFFIXING TO DOOR, ETC.  by affixing a true copy of *each* to the door of said premises, which is defendant's—actual place of business—dwelling place—usual place of abode—within the state. Deponent was unable, with due diligence to find defendant or a person of suitable age and discretion thereat, having called there

MAILING TO  
RESIDENCE  
USE WITH 3 OR 4

SA.  Within 20 days of such delivery or affixing, deponent enclosed a copy of same in a postpaid envelope properly addressed to defendant at defendant's last known residence, at

and deposited said envelope in an official depository under the exclusive care and custody of the U.S. Postal Service within New York State.

Within 20 days of such delivery or affixing, deponent enclosed a copy of same in a first class post paid envelope properly addressed to defendant at defendant's actual place of business, at

in an official depository under the exclusive care and custody of the U.S. Postal Service within New York State. The envelope bore the legend "Personal and Confidential" and did not indicate on the outside thereof, by return address or otherwise, that the communication was from an attorney or concerned an action against the defendant.

DESCRIPTION  
USE WITH  
1, 2, OR 3   
 Male  White Skin  Black Hair  White Hair  14-20 Yrs.  Under 5'  Under 100 Lbs.  
 Female  Black Skin  Brown Hair  Balding  21-35 Yrs.  5'0"-5'3"  100-130 Lbs.  
 Yellow Skin  Blonde Hair  Mustache  36-50 Yrs.  5'4"-5'8"  131-160 Lbs.  
 Brown Skin  Gray Hair  Beard  51-65 Yrs.  5'9"-6'0"  161-200 Lbs.  
 Red Skin  Red Hair  Glasses  Over 65 Yrs.  Over 6'  Over 200 Lbs.

Other identifying features:

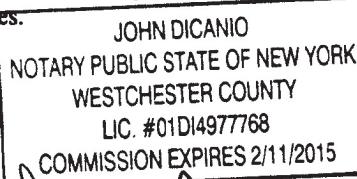
USE IN  
NYC CIVIL CT.

The words "CONSUMER CREDIT TRANSACTION" were prominently displayed at the top of the summons(es) and the additional legend was printed in not less than 12 point bold upper case type on the summons(es) pursuant to 22 NYCRR §208.6(d) and (f).

MILITARY  
SERVICE

I asked the person spoken to whether recipient was in active military service of the United States or of the State of New York in any capacity whatever and received a negative reply. Recipient wore ordinary civilian clothes and no military uniform. The source of my information and the grounds of my belief are the conversations and observations above narrated. Upon information and belief I aver that the recipient is not in military service of New York State or of the United States as that term is defined in either the State or in the Federal statutes.

Sworn to before me on  
10/6/11



PRINT NAME beneath signature  
SETH BOTWINICK

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